

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

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| UNITED STATES OF AMERICA, Plaintiff, vs. KIMBERLEE PITAWANAKWAT, a/k/a "Stormy," Defendant. | CR. 20-50122-02-JLV ORDER |
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Now pending is defendant's motion for the court to permit defense counsel to provide the defendant with the discovery materials in her case for her review. (Docket 39). Pursuant to the court's Standing Order 19-03, discovery materials shall remain in "defense counsel's possession" and "not be given to the Defendant or anyone else without the Court's permission. Defense counsel may allow the defendant to read the discovery materials, but only in the presence of defense counsel, the defense investigator, or a defense expert." Defendant bases her request on the fact she is presently living in Oregon and "is not financially able to make numerous trips to South Dakota" to review discovery in the presence of counsel. (Docket 39). The government opposes the motion, noting "defendant has multiple avenues of reviewing discovery and assisting in her defense that do not require direct provision of discovery to her," including videoconferencing technology. (Docket 41 at p. 3). No good cause shown, it is

ORDERED that defendant's motion (Docket 39) is denied.

Dated February 16, 2021.

BY THE COURT:

/s/ *Jeffrey L. Viken*

JEFFREY L. VIKEN
UNITED STATES DISTRICT JUDGE